IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 1521 OF 2004

Glaxo SmithKline Pharmaceuticals Ltd. Plaintiff

versus

Sudha Gupta Proprietor.

M/s.Mahendra Medicines Co. .. Defendants

...

Mr.Sunil Patel i/b Rajesh Desai for the plaintiff.

None for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 11th April 2005.

P.C.:

1. Heard the learned counsel for the plaintiff. None present for the defendant.

2. The plaintiff has filed on record affidavit of service dated 30th September 2004.

3. The plaintiff has also filed on record the original documents along with a list on 2nd December

2004. I have perused the plaint and the documents filed on record. The plaintiff sold, supplied and delivered to the defendant goods. The defendant issued to the plaintiff five cheques for a total amount of Rs.1,99,210/-. The cheques when presented for payment were dishonoured. The plaintiff has filed on record office copies of the invoices, dishonoured cheques with dishonour memos.

4. As the defendant has not filed an appearance, the plaintiff is entitled to a decree under Order 37 Rule 2(3) of the Code of Civil Procedure. Hence, suit of the plaintiff is decreed in terms of prayer clause of the plaint.

D.G. KARNIK, J